

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

IN RE:
ROSELLA BUREN

) CASE NO: 23-42045
Debtor) Chapter 13
) Re: Objection to Claim 2 filed by
) WILMINGTON SAVINGS FUND SOC
) FSB
) Acct: 0171
) Amount: \$49,566.35
) Response Due: August 31, 2023

TRUSTEE'S OBJECTION TO CLAIM 2

THIS OBJECTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE OBJECTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE OBJECTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE OBJECTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING, THE DATE OF WHICH WILL BE SENT TO YOU IF YOU FILE A RESPONSE. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE OBJECTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEYS.

COMES NOW Diana S. Daugherty, Standing Chapter 13 Trustee in Bankruptcy, and for her objection to claim states as follows:

The claim of WILMINGTON SAVINGS FUND SOC FSB dated July 13, 2023, should be denied as filed because the claim fails to list the value of the collateral securing the debt. The Trustee cannot determine what portion of the claim, if any, is secured and what portion is unsecured. The Court should allow the claim as a general unsecured claim, but the creditor may file an amended proof of claim listing the value of its security.

WHEREFORE Trustee prays the Court will enter its order sustaining this objection.

Dated: August 10, 2023

OBJCLM--SJC

/s/ Diana S. Daugherty

Diana S. Daugherty
Standing Chapter 13 Trustee

P.O. Box 430908
St. Louis, MO 63143
(314) 781-8100 Fax: (314) 781-8881
trust33@ch13stl.com

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was filed electronically on August 10, 2023, with the United States Bankruptcy Court, and has been served on the parties in interest via e-mail by the Court's CM/ECF System as listed on the Court's Electronic Mail Notice List.

I certify that a true and correct copy of the foregoing document was filed electronically with the United States Bankruptcy Court, and has been served by Regular United States Mail Service, first class, postage fully pre-paid, addressed to those parties listed on the Court's Manual Notice List and listed below on August 10, 2023.

ROSELLA BUREN
16305 HAMPDEN PL
FLORISSANT, MO 63034

MILLSAP & SINGER PC
612 SPIRIT DR
CHESTERFIELD, MO 63005-1259

WILMINGTON SAVINGS FUND SOC FSB
PO BOX 829629
C/O FRANKLIN CREDIT MGMT CORP
PHILADELPHIA, PA 19182-9629

FRANKLIN CREDIT MGMT CORP
PO BOX 2301
JERSEY CITY, NJ 07303-2301

/s/ Diana S. Daugherty
Diana S. Daugherty, Chapter 13 Trustee